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Dkt. 0467/57114-B/RDK/NML

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kathryn S.E. Cheah and Kenneth M.C. Cheung

Serial No.: 09/975,607

Filed : October 11, 2001

For : USE OF TRANSGENIC MOUSE CONTAINING A TYPE X COLLAGEN MUTANT

1185 Avenue of the Americas
New York, New York 10036
April 17, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

Box: Sequence

Sir:

COMMUNICATION IN RESPONSE TO MARCH 13, 2002 NOTICE TO COMPLY WITH
REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO
ACID SEQUENCE DISCLOSURES

This Communication is submitted in response to the March 13, 2002 Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures issued by the United States Patent and Trademark Office in connection with the above-identified application. A copy of the Notice To Comply is attached hereto as **Exhibit A**. The Notice provides a period of two months for filing a response. Therefore, a response to this March 13, 2002 Notice is due May 13, 2002. Accordingly, this Communication is being timely filed.

Applicants: Kathryn S.E. Cheah and Kenneth M.C. Cheung
Serial No.:09/975,607
Filed :October 11, 2001
Page 2

The Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures indicates that a copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report.

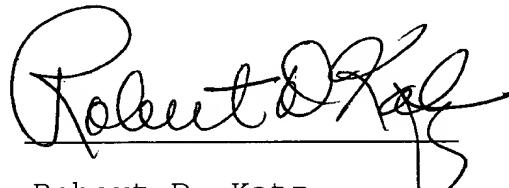
In response, applicants submit as **Exhibit B** hereto a substitute paper copy of the "Sequence Listing". In addition, applicants submit herewith a substitute computer readable form (CRF) copy of the "Sequence Listing." Further, applicants submit herewith a Statement in accordance with 37 C.F.R. §1.821(f) as **Exhibit C**, certifying that the computer readable form containing the nucleic acid and/or amino acid sequences which was submitted contains the same information as the paper copy of the "Sequence Listing" which was submitted and contains no new matter.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invite the Examiner to telephone him at the number provided below.

Applicants: Kathryn S.E. Cheah and Kenneth M.C. Cheung
Serial No.: 09/975,607
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Page 3

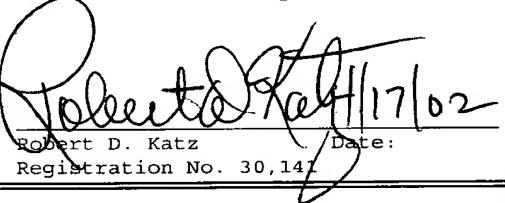
No fee is deemed necessary in connection with the filing of this Communication. If any other fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



Robert D. Katz
Registration No. 30,141
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.


Robert D. Katz Date:
Registration No. 30,141



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/975,607	10/11/2001	Kathryn S.E. Cheah	0467/57114-B/RDK/JEF

3/13/2002

CONFIRMATION NO. 9933

FORMALITIES LETTER



OC000000007632764*

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SL Extension: 6/13/2002

SL Extension: 7/13/2002

SL Extension: 8/13/2002

SL Extension: 9/13/2002

SL Deadline: 10/13/2002

SAC

Date Mailed: 03/13/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

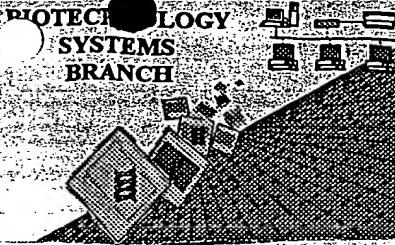
MAR 19 2002

A copy of this notice MUST be returned with the reply.


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



3/6

CRF Problem Report

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09/975,607
Filing Date: 10/11/2001
Date Processed by STIC: 2/26/2002

STIC Contact: Mark Spencer, 703-308-4212

Nature of Problem:

The CRF (was):

(circle one) Damaged or Unreadable (for Unreadable, see attached)
 Blank (no files on CRF) (see attached)
 Empty file (filename present, but no bytes in file) (see attached)
 Virus-infected. Virus name: _____ The STIC will not process the CRF.
 Not saved in ASCII text
 Sequence Listing was embedded in the file. According to Sequence Rules,
submitted file should only be the Sequence Listing.
 Did not contain a Sequence Listing. (see attached sample)
 Other:

PLEASE USE THE CHECKER VERSION 3.1 PROGRAM TO REDUCE ERRORS.

SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name,
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Or
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two,
2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service , or other delivery service to: U.S. Patent and Trademark Office,
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Revised 01/29/2002



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ATTACHMENT TO "NOTICE TO COMPLY WITH REQUIREMENTS...SEQUENCE DISCLOSURES"

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be submitted using one of the following methods:

1. Electronically submitted through EFS-Bio
(<http://www.uspto.gov/ebc/efs/downloads/documents.htm>, EFS Submission User Manual - ePAVE)
2. Mailed to:
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